

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER No. 78-77

TO ADOPT A REVISED CEASE AND DESIST ORDER FOR:

THE CITY OF DALY CITY AND DALY CITY  
SCAVENGER COMPANY, CLASS II-2 SOLID  
WASTE DISPOSAL SITE, DALY CITY,  
SAN MATEO COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

1. On January 18, 1977, this Board adopted Order No. 77-6 prescribing waste discharge requirements for the disposal of Group 2 wastes and compliance time schedules for the City of Daly City and Daly City Scavenger Company, hereinafter called the discharger.
2. On September 20, 1977, this Board adopted Order No. 77-119 requiring the City of Daly City and the Daly City Scavenger Company to cease and desist from discharging wastes in violation of requirements in Order No. 77-6. The discharger has complied with Specification A.1. of this Order which required, the cessation of Group 2 waste disposal at the Mussel Rock disposal site. This was accomplished by the date specified in Order No. 77-119.
3. The requirements of Order No. 77-119 provides, in part, as follows:  
  
"c. The discharger shall comply with specifications c.3 and c.4 of Order No. 77-6 by April 30, 1978.
4. The requirements of Order No. 77-6 provides, in part, as follows:  
  
"c. Site Closure Specifications  
  
...  
  
3. Final cover shall be provided and maintained as follows to promote lateral runoff of precipitation and minimize the buildup of leachate:  
  
a. Final cover shall be not less than three feet of clean soil. At least one foot of this soil shall be compacted to attain a permeability no greater than  $10^{-6}$  cm/sec, or a degree of compaction sufficient to provide an equivalent barrier to infiltration satisfactory to the Executive Officer.

b. Slopes shall be at least three percent, except where incompatible with park use (i.e., play fields), in which case grade shall be not less than two percent.

4. The migration of methane gas from Group 2 waste shall be controlled as necessary to prevent creation of a nuisance.

...

5. The discharger informed the Board in two letters dated April 11, and 26, 1978 that the final compliance date of April 30, 1978, could not be met due to inclement weather and the need for additional cover material. The discharger requested a time extension from April 30, 1978, as specified in Order No. 77-119, to October 13, 1978 for compliance with the specifications c.3 and c.4 of Order No. 77-6.
6. The Board on September 19, 1978, after due notice to the discharger and other affected persons, conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
7. The discharger is violating the requirements listed in Findings 3 and 4 above.
8. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED that Order No. 77-119 is amended as follows:

1. The discharger shall comply with specifications c.3 and c.4 of Order No. 77-6 in accordance with the following time schedules:

| <u>Task</u>        | <u>Report Due</u> |
|--------------------|-------------------|
| Progress report I  | October 1, 1978   |
| Progress report II | October 15, 1978  |
| Full Compliance    | October 30, 1978  |

All construction work including grading drainage facilities, covering the area, and methane control shall be supervised by a registered civil engineer or certified engineering geologist.

2. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized after approval of the Board Chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 19, 1978.

FRED H. DIERKER  
Executive Officer

